

**Milwaukee County Personnel Review Board**  
**Meeting Minutes – September 2, 2014**

**I. Roll Call**

Board President Daniel Dennehy called to order the regular meeting of the Personnel Review Board at 9:06 a.m. on Tuesday, September 2, 2014, in Room 201-B of the Milwaukee County Courthouse.

The following Board Members were present: Mr. Daniel T. Dennehy, Ms. Susan A. Lueger, and Ms. Melissa D. Hudson Clark.

Ms. Mary K. Bruno and Ms. Melissa Soberalski were excused.

**II. Approval of Minutes of the August 19, 2014 Meeting**

Ms. Lueger moved, Ms. Clark seconded, and the Board, by vote of 3-0, approved the minutes of the August 19, 2014 meeting.

**III. Communications and/or comments from the public, if any**

None

**IV. Correspondence**

**A. OPEN MEETINGS INFORMATION FROM PERSONNEL REVIEW BOARD STAFF**

Rebecca M. Janz, Administrator, circulated information about Wisconsin Open Meetings law to the Board members and informed them of upcoming trainings by the Wisconsin Department of Justice related to Wisconsin Open Meetings and Public Records laws.

**B. MILWAUKEE COUNTY V. MILWAUKEE COUNTY PERSONNEL REVIEW BOARD, CASE NO. 14-CV-002536, DECISION AND ORDER**

The Board noted that the Decision and Order in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536, found that the Board did not have jurisdiction to hear grievances related to disciplinary measures that are not addressed in Wisconsin Statute § 63.10. The Board expressed its intent to dismiss the pending grievances related to discipline not addressed in Wisconsin Statute § 63.10.

The Board heard arguments from Mark Sweet, Attorney, Sweet & Associates, representative of District Council 48 AFSCME and several employees with pending disciplinary grievances, and Paul Kuglitsch, Assistant Corporation Counsel. Mr. Sweet noted the employees and the union objected to the dismissal of these cases on legal, practical, and political grounds. Mr. Sweet noted that the court did not rule on the due process implications of the court's decision; that the decision was limited; and Ms. Beck, whose grievance was at issue in the case, had not yet determined her next steps. Mr. Kuglitsch stated that the order was clear that the Board could not hear these grievances.

Ms. Lueger moved, Ms. Clark seconded, and the Board, by 3-0 vote, determined it did not have jurisdiction to hear grievances related to employee discipline other than

instances of dismissal, demotion, suspensions longer than 10 days, or an employee's second suspension in a six-month time period.

**EARL MAYS, Parks Maintenance Worker, PARKS**

**Case 4-4116 dated 05/15/2014**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Lueger moved. Ms. Clark seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

**SEAN TOURILLOTT, Airport Maintenance Worker, DOT**

**Case 4-4117, dated 05/15/2014**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Clark moved. Ms. Lueger seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

**DOUG FELDE, Airport Maintenance Worker, DOT**

**Case 4-4100, issued 04/18/2014**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Lueger moved. Ms. Clark seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

**CAROL BECK Psych Social Worker, BHD**

**Case 4-3831, issued 11/05/2012**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Clark moved. Ms. Lueger seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

**ROBERT COLLAZO, Zookeeper, ZOO**

**Case 4-4043, issued 10/08/2014**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Lueger moved. Ms. Clark seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

**V. First Appearances**

**A. GRIEVANCE**

**NADA MCGUIRE, Facilities Worker - Security, DAS**

**Case 4-4145 dated 08/15/2014**

Over the objections of Mark Sweet, Attorney, Sweet & Associates, Ms. Clark moved, Ms. Lueger seconded, and the Board, by a vote of 3 -0, dismissed this case for lack of jurisdiction under the courts' recent decision in *Milwaukee County v. Milwaukee County Personnel Review Board*, Case No. 14-CV-002536.

## **B. SUSPENSIONS**

### **DONNA FLEES, PARALEGAL, FAMILY CARE**

**Case 1-4144 dated 08/13/2014**

The Board heard the report of Paul Kuglitsch, Assistant Corporation Counsel, that his office and the Personnel Review Board staff have been in contact with Donna Flees, who was not present or represented by counsel, and Ms. Flees asked to waive her right to a hearing within 21 days so she may prepare her case. Ms. Lueger moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), voted to accept Ms. Flees waiver and continue the matter for hearing certain on September 16, 2014, at 9:00 a.m.

## **VI. Updates**

### **A. SUSPENSION**

#### **MICHAEL LOVE, Correction Office 1, HOC**

**Case 1-4143 dated 08/06/2014 for HOC IA # 14-109**

The Board heard the report of Charmaine Gee, Administrative Assistance, that Michael Love completed and signed a waiver of hearing and accepted his suspension.

## **VII. Hearings**

### **A. SUSPENSION**

#### **LATOYA RENFRO, Correction Officer, SHERIFF**

**Case 1-4135 dated 06/27/2014 for IA #14-116 for 30 days**

*At 9:32 a.m., Ms. Lueger moved, Ms. Clark seconded, and the Board voted 3-0 to go into closed session to hear the Latoya Renfro matter. At 10:13 a.m., at the close of the hearing, the Board reconvened in open session.*

*At 10:40 a.m., Ms. Clark moved, Ms. Lueger seconded, and the Board voted 3-0 to go into closed session to deliberate the Latoya Renfro and Andrea Heaston-Stewart matters. At 10:55 a.m., the Board reconvened in open session*

Ms. Lueger moved, Ms. Clark seconded, and the Board, by a vote of (3-0) found that the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraph (l) (specifically Milwaukee County Sheriff's Office Rules and Regulations, 202.21 Reporting for/Absence from Duty) and (q), and upheld the 30 day suspension of Latoya Renfro.

### **B. DISCHARGE**

#### **ANDREA HEASTON-STEWART, Medical Assistant, SHERIFF**

*At 10:40 a.m., Ms. Clark moved, Ms. Lueger seconded, and the Board voted 3-0 to go into closed session to deliberate the Latoya Renfro and Andrea Heaston-Stewart matters. At 10:55 a.m., the Board reconvened in open session*

Ms. Lueger moved, Ms. Clark seconded, and the Board, by a vote of (3-0) found that the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraph (l) (specifically Milwaukee County Sheriff's Office Rules and Regulations, 202.17 Conduct of Members and 202.21 Reporting for/Absence from Duty) and (o), and upheld the discharge of Andrea Heaston-Stewart.

**LOUVENIA WILSON, Correction Officer, SHERIFF**

The Board heard the report of Paul Kuglitsch, Corporation Counsel, and Mark Sweet, Attorney, Sweet and Associates, on behalf of Louvenia Wilson, that the Sheriff's Office may have found employment with the Sheriff's Office that Ms. Wilson can perform with her work restrictions. Ms. Clark moved, Ms. Lueger seconded, and the Board, by a vote of 3-0, held over Ms. Wilson's hearing and rescheduled the matter for an update on September 30, 2014, at 9:00 a.m.

**VIII. Adjournment**

Ms. Lueger moved, Ms. Clark seconded, and the Board, by vote of 3-0, adjourned the meeting at 11:04 a.m.

Minutes submitted by: Rebecca M. Janz, PRB/Ethics Board Administrator